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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 MONTGOMERY CARL AKERS, BOP #  
12 02866-081,

13 Plaintiff,

14 vs.

15 JACQUELYN E. ROKUSEK, et al.,

16 Defendant.

CASE NO. 08-CV-0725 H (WMC)

**ORDER RE PLAINTIFF'S  
MOTION FOR COPIES**

[Doc. No. 9.]

17 On April 21, 2008, Plaintiff, a federal inmate incarcerated in Florence, Colorado and  
18 proceeding pro se, filed a complaint pursuant to Bivens v. Six Unknown Named Agents of the  
19 Federal Bureau of Narcotics, 403 U.S. 397 (1971). (Doc. No. 1.) On April 25, 2008, the Court  
20 granted Plaintiff's request to proceed in forma pauperis. (Doc. No. 3.) On April 25, 2008, the  
21 Court dismissed Plaintiff's complaint for failure to state a claim pursuant to 28 U.S.C.  
22 §§ 1915(e)(2)(b) and 1915A(b). (Doc. No. 3.) The Court granted Plaintiff leave to file an  
23 amended complaint correcting the pleading deficiencies identified in the Court's order  
24 dismissing the first complaint. (Id.) Instead of filing a first amended complaint, Plaintiff filed  
25 a motion for reconsideration on May 14, 2008. (Doc. No. 5.) On June 13, 2008, the Court  
26 denied Plaintiff's motion for reconsideration and granted Plaintiff a further extension, until  
27 July 18, 2008, to file an amended complaint. (Doc. No. 6.) As of the date of this Order,  
28 Plaintiff has not filed an amended complaint.

1 On July 7, 2008, Plaintiff filed a motion for free copies. (Doc. No. 9.) Plaintiff states  
2 that he wishes to appeal the dismissal of his complaint, and requests copies of "all pleadings  
3 filed in this case as exhibits." (Id.) The Court exercises its discretion to mail to Plaintiff a  
4 copy of each document filed in this matter to date. In the future, Plaintiff should retain copies  
5 of all documents that he files or receives in this case.

6 Although the Court has provided Plaintiff with copies of the filings in this case, the  
7 Court advises Plaintiff that pursuant to Rule 11 of the Federal Rules of Appellate Procedure,  
8 "[a]n appellant filing a notice of appeal must comply with Rule 10(b) and must do whatever  
9 else is necessary to enable the clerk to assemble and forward the record." Fed. R. App. P.  
10 11(a). If Plaintiff files a proper notice of appeal, the Clerk will assemble and transmit the  
11 record as provided by the Rules.

12 IT IS SO ORDERED.

13 DATED: August 7, 2008

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15 MARILYN L. HUFF, District Judge  
16 UNITED STATES DISTRICT COURT  
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